

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.NO. 28366 OF 1997

Between:

K. Srinivasulu Reddy and others

... Petitioners

and

The Secretary to Government,
Panchayat Raj and Rural Development
And others

... Respondents

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.NO.28366 OF 1997

ORAL ORDER:

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The relief sought for in this writ petition is to declare the action of the respondents in not regularizing the services of the petitioners in the post of Pump Operators as arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India.

Subsequent to the filing of the writ petition the Government, vide memo No.3647/Estt.IV/98-3 dated 31.8.1998, rejected the request of the petitioners for regularization on the ground that they were appointed by the Sarpanch without authority; that these appointments were not ratified by the competent authority and that they did not fulfil the conditions prescribed in the proceedings dated 5.4.1983; that there were no sanctioned posts in the Muthyala Reddy Palli Gram Panchayat and that they were working on contract basis.

More than 7 years after the memo dated 31.8.1998, WPMP No.4497 of 2006 is now filed to amend the prayer to include a challenge to the said memo. Several contentions are raised in WPMP No.4497 of 2006 in justification of the contention that there are

vacancies in the Muthyala Reddy Palli Gram Panchayat in the last grade scale; that the financial position of the Gram Panchayat is sound and that the petitioners are entitled to hold the post of Pump Operator.

I see no reason to permit an amendment to the prayer in the writ petition more than 7 years after the writ petition is filed, to include grounds which do not constitute the basis for seeking regularization of services of the petitioners. In view of the Government memo dated 31.8.1998, the relief sought for in this writ petition cannot be granted. The writ petition is accordingly dismissed. Needless to state that the order now passed shall not preclude the petitioners herein from availing such other remedies as are available to them in law to challenge the Government memo dated 31.8.1998. No costs.

RAMESH RANGANATHAN, J

DATE: 20.3.2007

CVM